

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:13-cv-00194-MR-DLH**

**LINDA MARTIN MOSES, individually)
and as the Executrix of the Estate of)
BILLY JUNIOR MOSES, deceased,)**

Plaintiffs,)

vs.)

**AIRWELL FEDDERS NORTH)
AMERICA, INC., et al.,)**

Defendants.)

ORDER

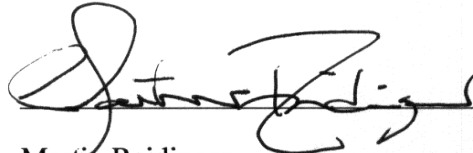
THIS MATTER is before the Court on the Defendant Lennox Industries, Inc.'s Motion for Summary Judgment [Doc. 169] and the parties' Joint Motion to Dismiss [Doc. 218].

Upon review of the parties' motions, and for cause shown,

IT IS, THEREFORE, ORDERED that the parties' Joint Motion to Dismiss [Doc. 218] is **GRANTED**, and the Plaintiffs' claims against the Defendant Lennox Industries, Inc. are hereby **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that the Defendant Lennox Industries, Inc.'s Motion for Summary Judgment [Doc. 169] is **DENIED AS MOOT**.

IT IS SO ORDERED.


Martin Reidinger
United States District Judge

